

**SOUTH DAKOTA DEPARTMENT OF EDUCATION
SPECIAL EDUCATION PROGRAMS**

**Herreid School District
Continuous Improvement Monitoring Process Report 2006**

Team Members: Mary Borgman, Barb Boltjes, Educational Specialists; and, Cindy Kirschman, Transition Liaison

Dates of On Site Visit: January 10, 2006

Date of Report: January 30, 2006

This report contains the results of the steering committee's self-assessment and the validation of the self-assessment by the Special Education Programs. The report addresses six principles – General Supervision, Free Appropriate Public Education, Appropriate Evaluation, Procedural Safeguards, Individualized Education Program and Least Restrictive Environment. Each principle is rated based on the following scale:

Promising Practice	The district/agency exceeds this requirement through the implementation of innovative, high-quality programming and instructional practices.
Meets Requirements	The district/agency consistently meets this requirement.
Needs Improvement	The district/agency has met this requirement but has identified areas of weakness that left not addressed may result in non-compliance.
Out of Compliance	The district/agency consistently does not meet this requirement.
Not applicable	In a small number of cases, the standard may not be applicable for your district/agency. If an item is not applicable, the steering committee should briefly explain why the item is NA. Example – no private schools within the district boundaries.

Principle 1 – General Supervision
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General supervision means the school district's administrative responsibilities to ensure federal and state regulations are implemented and a free appropriate public education is provided for each eligible child with a disability. The specific areas addressed in principle one are child find, referral procedures, children voluntarily enrolled by parents in private schools, students placed by the school district, improving results through performance goals and indicators (assessment, drop out, graduation), professional development, suspension and expulsion rates.

Steering Committee Self-Assessment Summary

Data sources used:

Comprehensive plan	News release
Student referrals	Radio announcement
Student file reviews	Screening announcement
Preschool screening list	District staff surveys
Enrollment Data	Parent surveys
Annual application for IDEA funds	Teacher/administrator surveys
OSEC procedure manual	Staff interviews
Data Table I, age and placement alternatives	Parent rights brochure
Table C suspension and expulsion data	District supervision/evaluation policy
District dropout rate	SAT 9 data
Exit data Table H	Content standards
Staff certification	CSPD needs assessment data
Contract staff licenses	

Promising Practice

The steering committee concluded the following to be promising practices for the district:

- The Herreid school has 100% of its special needs students participate in Dakota Step or STAARS testing.
- It has 100% graduation rate for students.
- The district uses scores to drive school wide improvements. For example, a few years ago, the low reading scores placed the Herreid School at the “On Alert” level. This prompted a school wide change. The teachers attended a year long reading improvement class, and then developed a library with guided reading levels in each classroom and the school library. The school day was increased by 30 minutes to add a period just for reading for all grades. The students’ read books during this time, answered comprehension questions about what they learned, and took tests to their measure progress. Due to this program, the Herreid School has gone from an “On Alert” school to a “Distinguished School” because of the outstanding improvement of reading scores in state wide assessments. Only six schools in the state received the Distinguished School status.

Meets Requirements

The steering committee determined that the district’s comprehensive plan is followed for collecting, maintaining and reporting data for all child find activities and referrals. In addition, the committee concluded relevant school data is used to analyze and review the district’s progress toward the state performance goals and indicators.

Although the district does not have a TAT process, the steering committee concluded the district has an effective pre-referral and referral support services available. The district’s comprehensive plan meets state and federal guidelines for referrals, and the committee noted district policy is to evaluate a child referred by parents.

The steering committee concluded the district’s comprehensive plan addresses student suspension and expulsion policies. No student in the district from 2003 to 2004 was suspended or expelled based on Table C data. The district adheres to the annual state guidelines for reporting students who have been suspended, expelled, or dropped out.

The district’s special education staff, as determined by the steering committee, meets all state certification requirements and has adequate opportunities for professional development.

There are no private schools in the district; however, the steering committee indicated guidelines are in the district's comprehensive plan.

Validation Results

Promising Practice

The monitoring team did not validate the promising practices identified by the steering committee. The team concluded the practices are requirements.

Meets Requirements

Through interviews, state data tables and file reviews, the monitoring team validated the steering committee's conclusion that the district meets the requirements for referrals, analyzing and reporting progress toward the state performance goals and indicators, suspension and expulsion policies, and employing fully licensed or certified staff to work with children with disabilities.

Out of Compliance

ARSD 24:05:22:03. Certified child

A certified child is a child in need of special education or special education and related services who has received a multidisciplinary evaluation and has an individual education program formulated and approved by a local placement committee. Documentation supporting a child's disabling condition as defined by Part B of the Individuals with Disabilities Education Act must be maintained by the school district for verification of its annual federal child count. This definition applies to all eligible children ages 3 to 21, inclusive, and to only those children under the age of three who are in need of prolonged assistance.

Issue requiring immediate attention

The monitoring team concluded a preschool student enrolled in the district did not have evaluation data that supported eligibility in compliance with child find and child count requirements. The IEP indicates the child is receiving Speech/Language and Occupational Therapy services. Occupational Therapy services cannot be provided to a student on a Speech/Language only IEP. Information regarding the student, and the need for an immediate reevaluation was provided to the district's special education instructor.

Principle 2 – Free Appropriate Public Education

All eligible children with disabilities are entitled to a free appropriate public education in the least restrictive environment. The specific areas addressed in principle two are the provision of FAPE to children residing in group homes, foster homes, or institutions, making FAPE available when a child reaches his/her 3rd birthday and providing FAPE to eligible children with disabilities who have been suspended or expelled from school for more than 10 cumulative days.

Steering Committee Self-Assessment Summary

Data Sources Used:

- Comprehensive plan
- Child count data
- District budget
- Annual IDEA application for funds

- Parent surveys
- Age and placement data Table I
- Student file reviews
- Suspension/expulsion data Table C

Meets Requirements

The steering committee concluded the district provides a free appropriate public education (FAPE) to all eligible children with disabilities. In addition, the district's comprehensive plan ensures suspension and expulsion procedures are in accordance with FAPE requirements.

Validation Results

Meets Requirements

The review team validated through interviews, data tables and file reviews the district meets the requirements for the provision of a free appropriate public education to children with disabilities.

Principle 3 – Appropriate Evaluation

A team of knowledgeable staff, which also includes parental input, conducts a comprehensive evaluation. A valid and reliable evaluation will result in effective individualized education programs for eligible students. The specific areas addressed in principle three are written notice and consent for evaluation, evaluation procedures and instruments, eligibility determination, reevaluation and continuing eligibility.

Steering Committee Self-Assessment Summary

Data Sources Used:

- District evaluation list
- Comprehensive plan
- Student file reviews
- Compliance monitoring report
- Interview
- District procedure
- Monitoring report
- Parent surveys
- Teacher surveys
- Cooperative forms
- Evaluation list
- Evaluation manuals
- Eligibility technical assistance guide
- Override procedures
- MDT report form
- Table A general district information
- Prior notice/consent form

Meets Requirements

According to student files, parent surveys, the comprehensive plan, and state data tables, the steering committee concluded the district insures written parent prior notice for evaluation and consent is obtained prior to initial evaluations and reevaluations. All evaluations listed on the prior notice for evaluation were administered. Functional assessments were included in all files. The school district provides copies of test results to all parents when evaluations are completed and those results are explained at the eligibility meeting. Eligibility is based on SD eligibility criteria. The special education staff does need to include the score needed from the regression chart on the MDT that indicates a potential learning disability when compared to the IQ score.

Needs Improvement

In 18-20 files reviewed by the steering committee, parent input was obtained through the use of the parent input form or conversation. In 2 out of 20 files, not all evaluations were done in the areas of suspected disabilities. The committee determined special education staff need to bring forward medical reports and reports from specialists that help in determining disabling conditions. The special education staff does need to include the score needed from the regression chart on the MDT that indicates a potential learning disability when compared to the IQ score.

Out of Compliance

The steering committee determined that tests are given that are not listed on the prior notice/consent for evaluation; therefore, evaluations were administered without parent consent.

The steering committee finds that all testing is completed in the 25 school day time frame; however, many times the date of reevaluation was determined by looking at the last date of standardized assessments given and not the last date that functional assessments were given. The evaluation and reevaluation dates were consistently off by a day or two or up to a week.

Validation Results

Meets Requirements

Through interviews and file reviews, the monitoring team validated the district obtained parent consent for initial and three-year evaluations. All evaluations on the prior notice were given, including functional assessments, and completed within the required 25 school day timeline. In addition, the team determined test results were discussed, a copy of the evaluation was given to parents, and eligibility was based on the SD criteria.

Out of Compliance

Based on the review of nine student files, the monitoring team did not validate the committee's out of compliance conclusion that evaluation and reevaluation dates were incorrect. The team determined reevaluation dates corresponded with the last evaluation date on all IEPs reviewed.

Through file reviews, the monitoring team also did not validate the steering committee's conclusion that the district completed tests that were not written on prior notices. The team determined prior notices for evaluation listed all assessments that were given; thus, the district met the requirements for this regulation.

ARSD 24:05:25:04. Evaluation procedures

School districts shall ensure, at a minimum, that evaluation procedures include the following:

(1) Tests and other evaluation materials are provided and administered in the child's native language or by another mode of communication that the child understands, unless it is clearly not feasible to do so. Any standardized tests that are given to a child:

- (a) Have been validated for the specific purpose for which they are used; and
- (b) Are administered by trained and knowledgeable personnel in conformance with the instructions provided by their producer;

(2) Tests and other evaluation materials include those tailored to assess specific areas of educational need and not merely those which are designed to provide a single general intelligence quotient;

(3) Tests are selected and administered so as best to ensure that a test administered to a child with impaired sensory, manual, or speaking skills accurately reflects the child's aptitude or achievement level or whatever other factors the test purports to measure, rather than the child's impaired sensory, manual, or speaking skills except where those skills are the factors which the test purports to measure;

(4) No single procedure is used as the sole criterion for determining eligibility or an appropriate educational program for a child;

(5) A variety of assessment tools and strategies are used to gather relevant functional and development information about the child, including information provided by the parents that may assist in determining:

- (a) Whether the child is a child with a disability; and
- (b) The content of the child's IEP, including information related to enabling the child:

- (i) To be involved in and progress in the general curriculum; or
 - (ii) For a preschool child, to participate in appropriate activities;

(6) Technically sound instruments, assessment tools, and strategies are used that:

- (a) May assess the relative contribution of cognitive and behavioral factors, in addition to physical or developmental factors; and

(b) Provide relevant information that directly assists persons in determining the educational needs of the child;

(7) The child is assessed in all areas related to the suspected disability, including, as applicable, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities;

(8) The evaluation is sufficiently comprehensive to identify all of the child's special education and related services needs, whether or not commonly linked to the disability category in which the child has been classified;

(9) Materials and procedures used to assess a child with limited English proficiency are selected and administered to ensure that they measure the extent to which the child has a disability and needs special education, rather than measuring the child's English language skills; and

(10) If an assessment is not conducted under standard conditions, a description of the extent to which it varied from standard conditions (e.g., the qualifications of the person administering the test, or the method of test administration) must be included in the evaluation report.

The monitoring team concluded the *Peabody Developmental Motor Scale* (PDMS) was used to evaluate students' fine and gross motor skills. The *Peabody Developmental Motor Scales-Second Edition* is available; therefore, the district is not using a technically sound assessment based on current standardization, validity, and reliability data.

Upon reading preschool children's evaluation reports, the monitoring team could not determine who gave the Early Childhood, fine motor, or gross motor evaluations or establish whether the

tests were given by trained and knowledgeable personnel in conformance with the instructions provided by their producer. In interviews with the district's special education instructors and the Early Childhood Administration Coordinator, it was determined the early childhood teacher administered the *Peabody Developmental Motor Scales*. The team learned the OAHE Cooperative has the *Peabody Developmental Motor Scales-Second Edition*, but the early childhood instructor has chosen not to use it based on information received from medical facility contracted Occupational and Physical Therapists pertaining to the PDMS-2 being more complex and timely to give.

Through interviews, the team learned the early childhood instructor interprets the fine and gross motor test results and includes the information in the Early Childhood evaluation report. A summary from one of the reports that had Early Childhood, OT and PT testing data stated, "According to standardized test results, ... is functioning in the average range in the areas of Reading and Social-Emotional. Areas of Math, Fine Motor, and Gross Motor are in the significant range. This indicates that ... may benefit from early childhood special education instruction to improve these skills, however, this is a team decision. The information here will be combined with all other evaluation information and used to assist in making the best decision regarding ...'s educational needs at this time." The team concluded the interpretation did not provide relevant information that directly assisted persons in determining the educational needs of the child; for example, the use of the term "significant".

ARSD 24:05:25:06 Reevaluations

If no additional data are needed to determine continuing eligibility, the district shall notify the parents of that determination and reasons for it and of the right of the parent to request an assessment, for purposes of services under this article, to determine continuing eligibility. The school district is not required to conduct an assessment unless requested to do so by the child's parents.

The monitoring team concluded through interviews and file information the district decided additional assessment data were not needed to determine the continued eligibility of two students. Neither of the students' Prior Notice for Evaluation had documentation of the district's decision, reasons for not needing the additional assessment data, or a statement the parent could request the additional assessments to determine continued eligibility.

ARSD 24:05:25:12. Written report for specific learning disabilities

The team shall prepare a written report of the results of the evaluation for specific learning disabilities. The report must include a statement of the following:

- (1) Whether the child has a specific learning disability;
- (2) The basis for making the determination;
- (3) The relevant behavior noted during the observation of the child;
- (4) The relationship of that behavior to the child's academic functioning;
- (5) The educationally relevant medical findings, if any;
- (6) Whether there is a severe discrepancy between achievement and ability which is not correctable without special education and related services; and
- (7) The determination of the team concerning the effects of environmental, cultural, or economic disadvantage.

The steering committee concluded the district does not include the severe discrepancy score on the MDT to indicate a potential learning disability. Through review of two MDT Forms for students determined eligible as having a Specific Learning Disability (SLD), the team noted no

regression to the mean information was documented to verify a severe discrepancy between IQ and achievement. The monitor's concluded there was no basis for making the SLD determination on the district's MDT form.

Principle 4 – Procedural Safeguards

Parents of children with disabilities have certain rights available. The school makes parents aware of these rights and makes sure they are understood. The specific areas addressed in principle four are adult student/transfer of rights, content of rights, consent, written notice, confidentiality and access to records, independent educational evaluation (IEE), complaint procedures, and due process hearings.

Steering Committee Self-Assessment Summary

Data sources used:

- Comprehensive plan
- OSEC procedure manual
- Parent rights brochure
- Prior notice form
- Surrogate parent technical assistance guide
- Prior notice/consent form
- Student file reviews
- Data Table L, complaints and hearings

Meets Requirements

The steering committee concluded procedures for confidentiality and access to records are followed by the district. The Herreid School uses the parent rights brochure written and published by the state Special Education program, which contains all the required content. All of the files reviewed indicated that the parents receive rights with every prior notice/consent form and at every IEP meeting.

The committee determined there have been no special education complaints in four years. A procedure is in place in case the school ever receives a complaint. Due process hearing procedures are specified in the district comprehensive plan. The district has not had a request for the due process hearing within the past four years.

Needs Improvement

The steering committee concluded the district has trained individuals who may serve as a surrogate parents, but they noted the district did not have a list of persons who may act as a student's surrogate parent.

Validation Results

Meets Requirements

Through interviews and file reviews, the monitoring team validated the district meets the requirements for procedural safeguards.

Needs Improvement

The district has developed a list of individuals who may serve as surrogate parent; therefore, the monitoring team did not validate this as in need of improvement.

Principle 5 – Individualized Education Program

The Individualized Education Program (IEP) is a written document for a child with a disability that is developed, reviewed and revised by the IEP team, which includes the parent. The specific areas addressed in principle five are IEP team, IEP content, transition components for secondary IEPs, annual reviews, transition from early intervention program, and IEP related issues.

Steering Committee Self-Assessment Summary

Data sources used:

- Comprehensive plan
- Teacher surveys
- Parent surveys
- Student file reviews
- Early Intervention (Part C) Exit Information
- Hearings
- Monitoring
- OSEC procedure manual
- Prior notice form
- Parent right brochure
- IEP form
- Child count

Meets Requirements

The steering committee determined the district's prior notice contains all required information. All parents receive rights and the meeting notice. All transition aged students were invited to the meeting; however, agency representatives were not invited for students of transition age. All parents indicated they feel comfortable asking questions and expressing concerns at IEP meetings.

All IEPs reviewed by the steering committee had appropriate team membership. The special education teacher provides general education teachers' goals and modification pages from the IEP for the students they have or will have in class. They also discuss the skill level of the students. The steering committee's review of 20 IEPs showed the district addressed specific skills in the suspected area of disabilities with the Present Levels of Performance linked to functional assessments. All files indicated how progress is measured. Modifications and students' participation in state and district wide assessments were appropriately documented in all IEPs. In addition, the committee concluded Extended School Year services were addressed and appropriately documented for 7 students. All IEPs documented participation with non-disabled students and related services were appropriately documented.

The district, the committee concluded, has programs in place for transition from Part C to Part B and IEPs were reviewed annually in 19 of twenty files. All parents indicated that they received a copy of the IEP. The beginning dates for the IEP were the day of or the day after the meeting. All parents surveyed indicated that services decided at the IEP meeting were started right away.

Out of Compliance

The steering committee checked four student IEPs and noted one of the IEPs did not have any goals or objectives.

The committee indicated the district does not have any 16 year old students who require transition. They determined the course of study for a 14 year old was not completed through the 12th grade in one file.

Validation Results

Meets Requirements

The monitoring team validated all the IEP areas identified by the steering committee as meeting requirements. All files reviewed for children transitioning from Part C to Part B were determined by the team to be reviewed annually.

Out of Compliance

ARSD 24:05:27:01:03 Content of Individualized Education Plan

A student's IEP must contain a statement of the student's present levels of performance. The present level of performance should be a reflection of the functional assessment information gathered during the comprehensive evaluation. In addition, how the child's disability affects his/her progress in the general curriculum must be addressed. An IEP also requires a summary of the transition age student's present levels of performance that describes the strengths and needs of the student in the context of the student's post-school vision.

The monitoring team determined the present levels of performance did not address a 16 year old student's transition strengths and needs.

Annual goals must be measurable and reasonable for the student to accomplish within one year. The annual goal or short-term objectives must address the condition, performance and criteria.

Through nine file reviews, the team determined one student's present levels of performance addressed reading skill needs, but the annual goals were for written expression. In addition, three student IEPs did not have measurable annual goals. Two of the IEPs were for Early Childhood, Occupational Therapy, and Physical Therapy services, and one IEP was for academics and OT services. Examples of annual goals were, "... will demonstrate increased functional hand control for greater success with fine motor tasks at home and in the classroom", and, "... will improve preschool math skills". In addition, the condition was not included consistently in the annual goals or short-term objectives in the team's review of four student IEPs.

ARSD 24:05:27:13.02 Transition services

Transition services are a set of coordinated activities for the student designed within an outcome-oriented process, which promotes movement from school to post-school activities, including

postsecondary education, vocational training, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation. The coordinated set of activities shall be based on the individual student's needs, taking into account the student's preferences and interests, and shall include instruction, related services, community experiences, the development of employment and other post-school adult living objectives, and, if appropriate, acquisition of daily living skills and functional vocational evaluation.

The monitoring team reviewed a transition age student IEP and noted the student was assessed at age 16, but transition services were not addressed on the student's IEP until 12 weeks later. The team concluded also that the student's IEP did not have set of coordinated activities based on the student's needs and promote movement from school to post-school activities, including postsecondary education, vocational training, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation. For example, written in the area for Employment was, "Supported with program through ATC".

Principle 6 – Least Restrictive Environment

After the IEP is developed or reviewed, the IEP team must decide where the IEP services are to be provided. Consideration begins in the general education classroom for school age students. The specific areas addressed in principle six are placement decisions, consent for initial placement, least restrictive environment procedures, preschool children, and LRE related issues.

Steering Committee Self-Assessment Summary

Data sources used:

- Comprehensive plan
- Parent surveys
- Student file reviews
- Data Table F placement alternatives

Meets Requirements

The steering committee concluded the percentage of students in the district who are receiving services in the regular classroom with modification and the resource room is comparable to the state average. Special Education services are provided based on the continuum of alternative placement options.

Validation Results

Meets Requirements

The monitoring team validated the steering committee's conclusion that the district meets the requirements of least restrictive environment.